

**§ 1421.17 Grievance Board.**

*Grievance Board* means the Foreign Service Grievance Board established under 22 U.S.C. 4135.

**§ 1421.18 Regular and substantially equivalent employment.**

*Regular and substantially equivalent employment* means employment that entails substantially the same amount of work, rate of pay, hours, working conditions, location of work, and seniority rights if any, of an employee prior to the cessation of employment in a Department because of any unfair labor practice under 22 U.S.C. 4115.

## PART 1422—REPRESENTATION PROCEEDINGS

Sec.

- 1422.1 Who may file petitions.
- 1422.2 Contents of petition; filing and service of petition; challenges to petition.
- 1422.3 Timeliness of petition.
- 1422.4 Investigation of petition and posting of notice of petition; action by Regional Director.
- 1422.5 Intervention.
- 1422.6 Withdrawal, dismissal or deferral of petitions; consolidation of cases; denial of intervention; review of action by Regional Director.
- 1422.7 Agreement for consent election.
- 1422.8 Notice of hearing; contents; attachments; procedures.
- 1422.9 Conduct of hearing.
- 1422.10 Motions.
- 1422.11 Rights of the parties.
- 1422.12 Duties and powers of the Hearing Officer.
- 1422.13 Objections to conduct of hearing.
- 1422.14 Filing of briefs.
- 1422.15 Transfer of case to the Board; contents of record.
- 1422.16 Decision.
- 1422.17 Election procedure; request for authorized representation election observers.
- 1422.18 Challenged ballots.
- 1422.19 Tally of ballots.
- 1422.20 Certification; objections to election; determination on objections and challenged ballots.
- 1422.21 Preferential voting.
- 1422.22 Inconclusive elections.

AUTHORITY: 22 U.S.C. 4107.

SOURCE: 46 FR 45862, Sept. 15, 1981, unless otherwise noted.

**§ 1422.1 Who may file petitions.**

(a) A petition for exclusive recognition may be filed by a labor organization requesting an election to determine whether it should be recognized as the exclusive representative of employees of the Department in the unit described in 22 U.S.C. 4112 or should replace another labor organization as the exclusive representative of employees in such unit.

(b) A petition for any election to determine if a labor organization should cease to be the exclusive representative because it does not represent a majority of employees in the unit described in 22 U.S.C. 4112 may be filed by an employee or employees or an individual acting on behalf of any employee(s).

(c) A petition seeking to clarify a matter relating to representation may be filed by the Department where the Department has a good faith doubt, based on objective considerations, that the currently recognized or certified labor organization represents a majority of the employees in the unit described in 22 U.S.C. 4112.

(d) A petition for clarification of the unit described in 22 U.S.C. 4112 or for amendment of recognition or certification may be filed by the Department or by a labor organization which is currently recognized by the Department as the exclusive representative.

(e) A petition for determination of eligibility for dues allotment may be filed by a labor organization in accordance with 22 U.S.C. 4118(c).

**§ 1422.2 Contents of petition; filing and service of petition; challenges to petition.**

(a) *Petition for exclusive recognition.* A petition by a labor organization for exclusive recognition shall be submitted on a form prescribed by the Board and shall contain the following:

(1) The name of the Department, its address, telephone number, and the persons to contact and their titles, if known;

(2) A description of the unit described in 22 U.S.C. 4112. Such description shall indicate the classifications of employees sought to be included and those sought to be excluded and the approximate number of employees in the unit;